

PROCEEDINGS OF THE COMMON COUNCIL

IN Special SESSION

Tuesday, May 10

, 1977

10:45 o'clock P.M.

CITY OF FORT WAYNE INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening May 10 A.D., 19 77, in
Special Session. President John Nuckols in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,

MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,

VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____, 19 _____,
_____, 19 _____,
Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

CALL FOR SPECIAL SESSION

May 10, 1977

We the Members of Common Council of the City of Fort Wayne do hereby command the Clerk, Charles W. Westerman, of the Common Council pursuant to the CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974, to call a Special Session at 10:45 P.M., E.S.T. to assemble in Room 126, the Chambers of the Common Council to consider passage of Bill No. A-77-⁰⁵~~08~~-26 (as amended). The attached written document constitutes the command duly notifying all members of the Special Session.

Signed by:

Vivian G. Schmidt
Fredrick Hunter
John Nuckols
Samuel J. Talarico
William T. Hinga
Winfield Moses Jr.
Paul M. Burns
James Stier

MADE A MATTER OF RECORD

DATE 5-10-77 CHARLES W. WESTERMAN, CITY CLERK

May 10, 1977

To: Each Councilman of the Common Council of the City of Fort Wayne, Indiana

You are hereby notified that a Special Meeting of the Common Council of the City of Fort Wayne will be held on May 10, 1977, immediately upon conclusion of the Regular Meeting of said Council on said date. Said Special Meeting is called for the purpose of considering passage of Bill No. A-77-09-26 (as amended) for appropriating certain funds from Revenue Sharing Trust Account to various reserve funds.


Charles W. Westerman
City Clerk

May 10, 1977.

To: Charles W Westerman, City Clerk.
you are hereby notified in writing
that a Special Meeting of the Common
Council of the City of Fort Wayne
will be held immediately following the
regular session of the Common Council
on May 10, 1977 in the Common
Council Chambers of the City of Fort
Wayne.

Trivian J. Schmidt
Councilman

Frederick P. Kuntz
Councilman

John Stuckols
Councilman

Samuel J. Talarico
Councilman

William T. Duga
Councilman

Richard D. W. R.
Councilman

James S. Stur
Councilman

MADE A MATTER OF RECORD

DATE

CHARLES W. WESTERMAN, CITY CLERK

May 10, 1977.

To each Councillor of the Common
Council of the City of Fort Wayne,
Indiana;

You are hereby notified that a
Special Meeting of the Common Council
of the City of Fort Wayne will be held
on May 10, 1977 immediately upon
conclusion of the regular meeting of
said Council on said date. Said
Special Meeting is called for the
purpose of considering passage of
Bill No. A77-09-26 (as amended) for
appropriating certain funds from
Revenue Sharing Trust account to
various Reserve Funds.

Charles W. Westerman
(Charles W. Westerman City Clerk

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

CLERK'S CERTIFICATION

I, Charles W. Westerman, Clerk of the City of Fort Wayne and Clerk of the Common Council pursuant to the CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974, do hereby certify and make a matter of record of the Common Council of the City of Fort Wayne that I have delivered to each member of the Common Council in writing a notice of a Special Session of Common Council to be held on May 10, 1977, at 10:45 P.M., E.S.T. to consider the passage of Bill No. A-77-⁰⁵~~09~~-26 (as amended) and no other business.

Charles W. Westerman
Charles W. Westerman
Clerk of the City of Fort Wayne

MADE A MATTER OF RECORD
DATE 5-10-77 CHARLES W. WESTERMAN, CITY CLERK

Special Sessions

Bill

Refer to Committee

A-77-08-26 -

referred
to Committee

Hinga
2nd Hunter

(motion for special ^{session})

Special Session: 10:45 PM

Silent prayer
Present - 9-0

Waver of Consent - read

Call of Meeting - read

Finance Committee

A-77-09-26

(as amended
(as amended))

7-V 2nd Talarico

passed To strike "where as" 2nd Hunter

~~on passage as amended~~

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
<u>TOTAL VOTES</u>	8	1			
<u>BURNS</u>		✓			
<u>HINGA</u>	✓				
<u>HUNTER</u>	✓				
<u>MOSES</u>	✓				
<u>NUCKOLS</u>	✓				
<u>SCHMIDT, D.</u>	✓				
<u>SCHMIDT, V.</u>	✓				
<u>STIER</u>	✓				
<u>TALARICO</u>	✓				

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Apportionment) Ordinance
(Resolution) No. _____ on the _____ day of _____, 197_____

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____
day of _____, 197_____, at the hour of _____ o'clock,
M., E.S.T.

Approved and signed by me this _____ day of _____, 197____,
at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

SUSPENSION OF RULES

BILL NO. A-77-09-26 (*no amendment*)

Councilman Hinga, moved to suspend the rules
on passage of BILL NO. ⁰⁵A-77-09-26, at this meeting of
May 10, 1977, of the Common Council of the City
of Fort Wayne, Indiana. Said motion was seconded by Councilman
Moses, and duly passed by unanimous vote of
~~all legally elected members of the said Common Council.~~

~~The above BILL and _____ ORDINANCE was accordingly
placed on its passage.~~

DATE: 5-10-77

Charles W. Westerman

CITY CLERK

John Nuckols

PRESIDING OFFICER

	AYES 8	NAYS 1	ABSTAINED	ABSENT	TO-WIT
<u>BURNS</u>	_____	<u>X</u>	_____	_____	_____
<u>HINGA</u>	<u>yes</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>yes</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>yes</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>yes</u>	_____	_____	_____	_____
<u>D. SCHMIDT</u>	<u>yes</u>	_____	_____	_____	_____
<u>V. SCHMIDT</u>	<u>yes</u>	_____	_____	_____	_____
<u>STIER</u>	<u>yes</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>yes</u>	_____	_____	_____	_____

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,~~
as _____

ATTEST:

(SEAL)

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

the Common Council through a motion made by Lengel, and seconded
by miss, decided that the Members of Common Council suspend
the rules to enable A-77-⁰⁵~~04~~-26 (as amended) to be placed on passage.
The following vote was ordered by roll call and vote was as follows:

	Ayes (8)	Nays (1)
Burns	--	x
Hinga	x	
Hunter	x	
Moses	x	
Nuckols	x	
D. Schmidt	x	
V. Schmidt	x	
Stier	x	
Talarico	x	

Date: 5-10-77

Charles W. Westerman
City Clerk

President of Common Council, John Nuckols so declared the suspension lost.

SUSPENSION OF RULES

BILL NO. A-77-09-26 (*as amended*)

Councilman Hinga, moved to suspend the rules on passage of BILL NO. A-77-09-26, at this meeting of May 10, 1977, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and ~~duly passed by unanimous vote of all legally elected members of the said Common Council.~~

~~The above BILL and _____ ORDINANCE was accordingly placed on its passage.~~

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

	AYES <u>8</u>	NAYS <u>1</u>	ABSTAINED <u> </u>	ABSENT <u> </u>	TO-WIT <u> </u>
<u>BURNS</u>	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
<u>HINGA</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HUNTER</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>MOSES</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>D. SCHMIDT</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>V. SCHMIDT</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>yes</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,~~
as

ATTEST:

(SEAL)

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

The Common Council through a motion made by DeAngelis, and seconded by Moses, decided that the Members of Common Council suspend the rules to enable A-77-09-26 (as amended) to be placed on passage. The following vote was ordered by roll call and vote was as follows:

	Ayes (8)	Nays (1)
Burns	--	x
Hinga	x	
Hunter	x	
Moses	x	
Nuckols	x	
D. Schmidt	x	
V. Schmidt	x	
Stier	x	
Talarico	x	

Date: 5-10-77

Charles W. Westerman
City Clerk

President of Common Council, John Nuckols so declared the suspension lost.

Vote: Amendment to Resolution

Motion. as read by Mr. Hunter

Ind by Stier

24 Line

25

26

27

28 and was signed by the Mayor
Strike the rest of page

Burns no

Moss yes

Stier no

Hinga yes

Nichols yes

Talarico yes

Hunter yes

D. I. yes

V. I. yes

As Amended -

7-2

77-09-26

Suspension of Rules

1 where as

9-10

2 where as

yes nay

Burns

no

8-1

Hinga

yes

Hunter

yes

Moss

yes

Nichols

yes

Don Schmidt

yes

V. I.

yes

Stier

yes

Talarico

yes

AMENDMENT CERTIFICATION

I, Charles W. Westerman, duly elected Clerk of the Common Council of the City of Fort Wayne do hereby certify that on May 10, 1977, in Special Session of the Common Council Bill No. A-77-05-26 and Ordinance No. A-12-77 was amended by the Common Council through the motion made by Hinga and seconded by Talarico. Said Bill was voted to amend Bill No. A-77-05-26 by a vote of:


(Seven)

Ayes: Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico

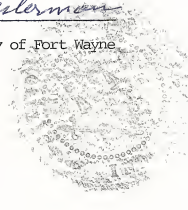
(Two)

Nays: Burns, Stier

Date: 5-10-77



Charles W. Westerman
City Clerk of the City of Fort Wayne



THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Tuesday the 10th day of May, 1977 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1977.

Charles W. Westerman
Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN SPECIAL SESSION
TUESDAY, MAY 10, 1977

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening May 10 A.D., 1977, in Special Session. President John Nuckols in the chair, and Charles W. Westerman Clerk, at the desk, present the following members nine viz:

Burns, Hinga, Hunter, Moses, Nuckols, D. Schmidt,
V. Schmidt, Stier, Talarico

CLERK'S CERTIFICATION

I, Charles W. Westerman, Clerk of the City of Fort Wayne and Clerk of the Common Council pursuant to the CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974, do hereby certify and make a matter of record of the Common Council of the City of Fort Wayne, that I have delivered to each member of the Common Council in writing a notice of a Special Session of Common Council to be held on May 10, 1977, at 10:45 P.M., E.S.T., to consider the passage of Bill No. A-77-09-26 (as amended) and no other business.

Charles W. Westerman
Clerk of the City of Fort Wayne

Made a matter of record 5-10-77

Charles W. Westerman
City Clerk

May 10, 1977

To: EACH COUNCILMAN OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

You are hereby notified that a Special Meeting of the Common Council of the City of Fort Wayne will be held on May 10, 1977, immediately upon conclusion of the Regular Meeting of said Council on said date. Said Special Meeting is called for the purpose of considering passage of Bill No. A-77-09-26 (as amended) for appropriating certain funds from Revenue Sharing Trust Account to various reserve funds.

Charles W. Westerman
City Clerk

Made a matter of record 5-10-77 Charles W. Westerman
City Clerk

CALL FOR SPECIAL SESSION

May 10, 1977

We the Members of Common Council of the City of Fort Wayne do hereby command the Clerk, Charles W. Westerman, of the Common Council pursuant to the CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974, to call a Special Session at 10:45 P.M., E.S.T. to assemble in Room 126, the Chambers of the Common Council to consider passage of Bill No. A-77-09-26 (as amended). The attached written document constitutes the command duly notifying all members of the Special Session.

Signed by:

Vivian G. Schmidt

Fredrick R. Hunter

John Nuckols

Samuel J. Talarico

William T. Hinga

Winfield C. Moses, Jr.

Paul M. Burns

James S. Stier

Made a matter of record 5-10-77

Charles W. Westerman
City Clerk

May 10, 1977

Charles W. Westerman, City Clerk

You are hereby notified in writing that a Special Meeting of the Common Council of the City of Fort Wayne will be held immediately following the regular session of the Common Council of May 10, 1977, in the Common Council Chambers of the City of Fort Wayne.

Vivian G. SchmidtFredrick R. HunterJohn NuckolsSamuel J. TalaricoWilliam T. HingaWinfield C. Moses, Jr.Paul M. BurnsJames S. Stier

Made a matter of record 5-10-77

Charles W. Westerman
City ClerkAMENDMENT CERTIFICATION

I, Charles W. Westerman, duly elected Clerk of the Common Council of the City of Fort Wayne do hereby certify that on May 10, 1977, in Special Session of the Common Council Bill No. A-77-05-26 and Ordinance No. A-12-77 was amended by the Common Council through the motion made by Hinga and seconded by Talarico. Said Bill was voted to amend Bill No. A-77-05-26 by a vote of:

Ayes: Seven

Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt,
Talarico

Nays: Two

Burns, Stier

Date: 5-10-77

Charles W. Westerman
City Clerk of the City of Fort Wayne

BILL NO. A-77-05-26 (AS AMENDED - AS AMENDED)

APPROPRIATION ORDINANCE NO. A-12-77
(AS AMENDED - AS AMENDED)

AN ORDINANCE AMENDING APPROPRIATION
ORDINANCE NO. A-09-77 AND APPROPRIATING
CERTAIN FUNDS FROM REVENUE SHARING TRUST
ACCOUNT TO VARIOUS RESERVE FUNDS

WHEREAS, the City of Fort Wayne is the recipient of certain Federal money through the State and Local Fiscal Assistance Act of 1972; and

WHEREAS, this money has been set aside in a special Revenue Sharing Trust Fund pursuant to said Act; and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana prior to transmittal of Ordinance No. A-09-77 to the Mayor of the City of Fort Wayne, Indiana by a vote of 7 Ayes and 2 Nays did amend said Ordinance No. A-09-77 by striking therefrom certain items which items stricken therefrom were as follows:

<u>TITLE</u>	<u>AMOUNT</u>
Board of Aviation - Smith Field	\$100,000
Police Department -	
Police Vice Squad - Buy Money	14,500
Personnel - Summer Youth	100,000;

and,

WHEREAS, on April 27, 1977 through error the wrong Ordinance, namely Ordinance No. A-09-77, without the above deletions, was taken to the said Mayor's Office and was signed by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Appropriation Ordinance A-09-77 is hereby amended as hereafter set forth in this ordinance under Section 2 hereof.

SECTION 2. That there is hereby appropriated out of the unexpended and unappropriated Revenue Sharing Trust Fund the sum of \$2,355,400 into:

<u>TITLE</u>		<u>AMOUNT</u>
Board of Works -		
Public Lighting	\$100,000	
Sewer Relief	250,000	
Street Resurfacing & Rebuilding	700,000	
Curbs, Sidewalk Construction	75,000	
Street Dept. Truck and/or Equipment	<u>45,000</u>	
		\$1,170,000
CD&P -		
Urban Homesteading	32,400	
Metropolitan Civic Community	<u>975,000</u>	
		\$1,007,400
Fort Wayne Art School		\$ 8,500
Humane Shelter - (Matching Funds)		\$ 50,000
Park Department -		
Senior Citizens Center	\$ 50,000	
Parking Lots & Roads - Foster, Shoaff & Memorial Parks	35,000	
Foellinger Sign	2,000	
FOLKUS	10,000	
New Lights - Franke Park - Ball Diamond	<u>12,500</u>	
		\$ 109,500
Three Rivers Festival		\$ <u>10,000</u>
		<u>\$2,355,400</u>

SECTION 3. That the unexpended and unappropriated balance of the Revenue Sharing Trust Fund of the City of Fort Wayne is hereby reduced in the amount of \$2,355,400.

SECTION 4. That the City Controller is hereby directed to provide every member of this Council with a copy of his reports to the Secretary of the Treasury as provided in the State and Local Fiscal Assistance Act of 1972.

SECTION 5. That the Mayor of the City of Fort Wayne is hereby requested and charged to personally review and insure that each and every encumbrance and expenditure of this money is in compliance with the intent of this Council as specifically outlined in this Ordinance.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Hunter, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven

Hinga, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt,
Talarico

Nays: Two

Stier, Burns

Date: 5-10-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. A-12-77 on the 10th day of May, 1977.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1977, at the hour of 4:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of May, 1977, at the hour of 2:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Tuesday the 10th day of May, 1977; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1977.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 14th day of June, 1977.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER